

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KENNETH VENTRELLA,

Plaintiff,

v.

TRUMP RUFFIN TOWER, I, LLC, dba
TRUMP INTERNATIONAL HOTEL LAS
VEGAS; LES JARDINES AU BOUT DU
MONDE USA, INC.; DOES I through XX,
inclusive and ROE BUSINESS ENTITIES I
through XX, inclusive,

Defendants.

Case No. 2:12-cv-001450-APG-NJK

**ORDER REMANDING CASE TO STATE
COURT**

On September 13, 2013, the Court entered its Order [Dkt. #63] approving the parties' Stipulation dismissing all of Plaintiff's claims based upon Plaintiff's acceptance of a \$30,000 settlement offer. The only remaining claims are between the Defendants, seeking equitable indemnification and/or contribution regarding that settlement amount.

This case was removed to this court based on diversity jurisdiction. The federal district courts have original jurisdiction when the parties are of diverse citizenship and the amount in controversy, exclusive of interest and costs, exceeds \$75,000.00. 28 U.S.C. § 1332(a). This court is obligated to consider, *sua sponte*, whether it has subject matter jurisdiction. *Allstate Ins. Co. v. Hughes*, 358 F.3d 1089, 1093 (9th Cir. 2004). Because the only remaining claims in this matter relate to allocation of the \$30,000 paid to Plaintiff, recoverable damages do not meet the \$75,000 threshold for diversity jurisdiction. Accordingly, this court no longer has subject matter jurisdiction, and must remand this case to state court for all further proceedings.

1 IT IS HEREBY ORDERED that this case is remanded to the state court from which it
2 originated.

3 DATED THIS 18th day of November 2013.

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6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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